

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
SUBDIVISION REPORT # FPP-21-09
HIGH COUNTRY SUBDIVISION
FEBRUARY 23, 2021

I. GENERAL INFORMATION

A. Project Description

The proposal is for preliminary plat approval of a 28 residential lot subdivision. The property will be served by individual septic systems and a shared water system. Located between Kalispell and Whitefish, the subject property is located on the west side of Highway 93 off McDermott Lane, within the Highway 93 North Zoning District and Riverdale Neighborhood Plan.

B. Project Personnel

i. Owner/Applicant

Thornton Motorsports, LLC
PO Box 280
Whitefish, MT 59937

ii. Tech. Representative

APEC Engineering, Inc.
75 Somers Road
Somers, MT 59932

C. Application Review Dates

1. Land Use Advisory Committee/Council

The Riverdale Land Use Committee will hold a public hearing on the proposed subdivision on February 23, 2022 and make a recommendation to the Flathead County Planning Board and the Board of Commissioners. This space is reserved for a summary of the Committee's discussion and recommendation.

2. Planning Board

The Flathead County Planning Board will hold a public hearing on the proposed subdivision on March 9, 2022 and make a recommendation to the Flathead County Board of Commissioners. This space is reserved for a summary of the Planning Board's discussion and recommendation.

3. Commission

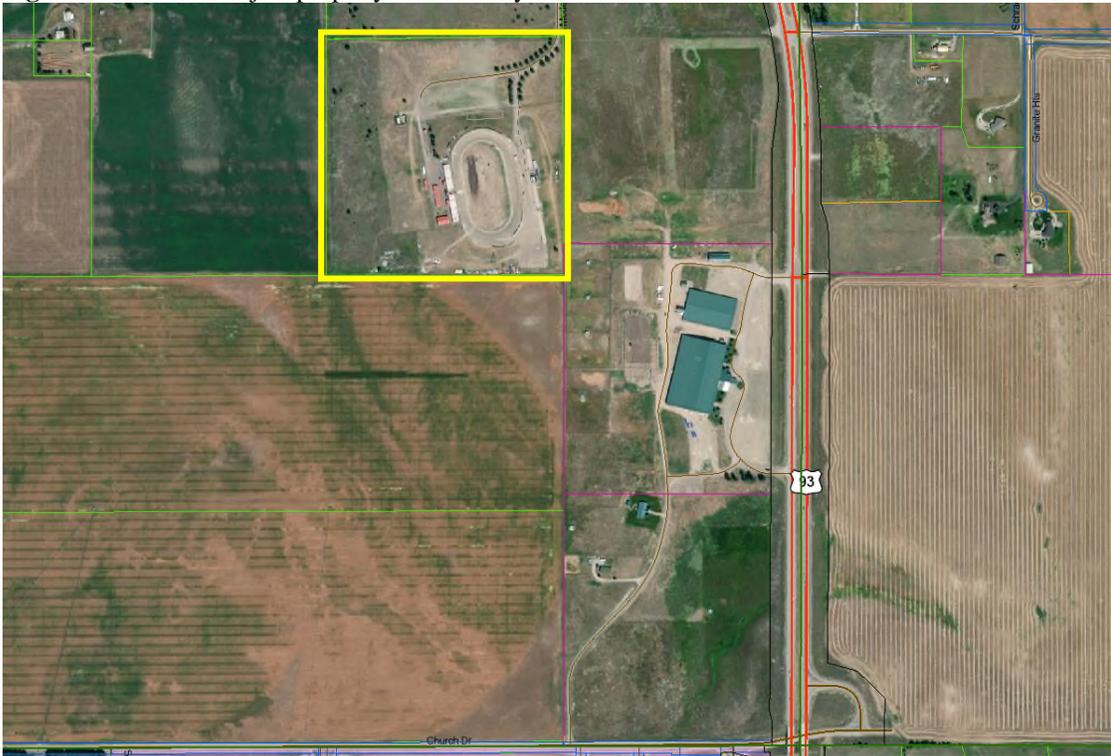
The Flathead County Board of Commissioners will review this proposal after the public hearing conducted by the Planning Board and prior to April 19, 2021, which is the end of the 60-working day statutory review period.

II. ADMINISTRATIVE CHARACTERISTICS

A. Legal Description and Detailed Location of Subject Property

The subject property is 40 acres in size and is located at 3790 Highway 93 North outside of Kalispell, Montana. The property can legally be described as the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section 12 in Township 29 North, Range 22 West, P.M.M., Flathead County, Montana.

Figure 1: Aerial of subject property outlined in yellow



B. Subdivision Layout Detail

1. Total Subdivision Acreage:	40.0 acres
2. Acreage in Lots:	30.87 acres
3. Acreage in Roads:	4.98 acres
4. Total Park/Common Area/Open Space Acreage:	4.15 acres
5. Minimum Lot Size:	1.03 acres
6. Maximum Lot Size:	1.76 acres
7. Density:	1 units per 1.42 acres

C. Current Land Use and Zoning

The subject property is currently developed as Montana Raceway Park, a racetrack hosting events seasonally from May to October. The track is a 1/4 mile inside and 3/8 mile outside. Montana Raceway Park has the capacity for approximately 3,000 spectators, multiple outbuildings for full concessions, and a RV park.

The property is located within the Highway 93 North Zoning District, currently zoned AG-40 *Agriculture* but is currently seeking a zoning map amendment to change the zoning to R-1 *Suburban Residential*.

The subject property is within the Riverdale Neighborhood Plan area. The area is designated in the plan as *Mixed Use* and is described as *a land use category intended to provide flexibility in design and to promote a mix of commercial and housing options. This category permits retail and general commercial uses that serve the broader community and tourist economy. Mixed residential-commercial uses where the commercial portion is compatible with the residential is appropriate. This category permits a range of commercial development such as hotels, banks, restaurants, professional office centers and*

mix of residential use including apartment complexes, single family attached and detached, duplexes, town homes, and accessory apartments at an average density of six (6) dwelling units per one (1) acre. Commercial developments should be configured as centers or nodes. Strip commercial configurations should be avoided. Development density in the Mixed Use land use category may be increased with the creation of community or public water and sewer systems or annexation into a municipal water and sewer district. Commercial development such as shopping malls or large box retail stores (e.g. Super Wal-mart) is neither appropriate nor contemplated in this land use category.”

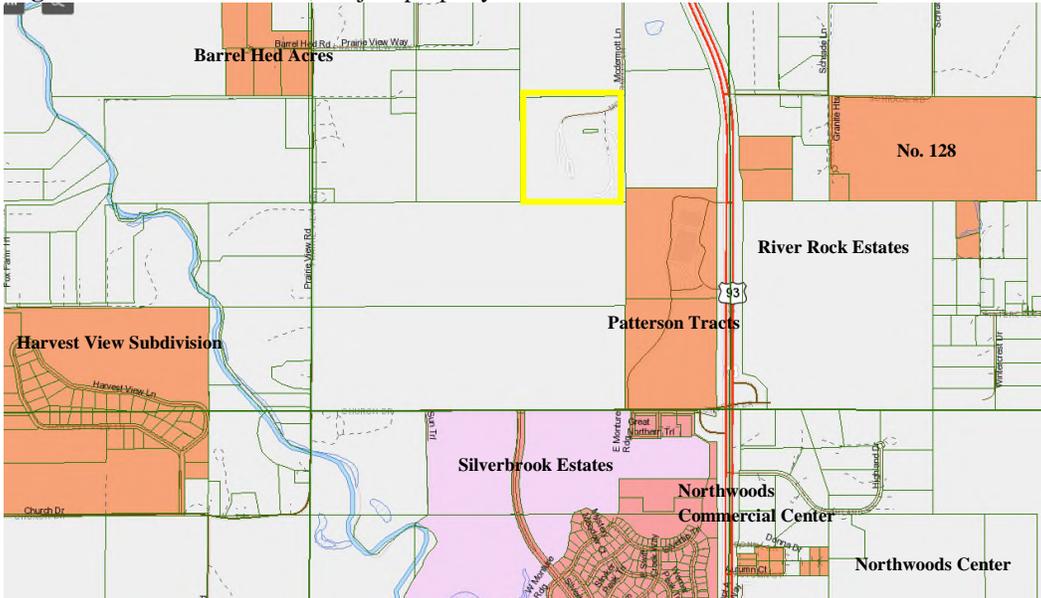
D. Proposed Land Use

The proposed zone change, and associated subdivision would create 28 single-family residential lots on the subject property, with 4.15 acres set aside as accessible, open space, with 1.31 acres of the open space dedicated as parkland. The new lots would be situated along the proposed internal subdivision roads. All lots would be served by a public water supply system and individual septic systems. The subdivision will have only one primary access via McDermott Road. All roads would be designed and constructed to meet applicable County road standards.

E. Previously Considered Subdivisions in Area

Subdivision Name (year approved)	Type	Total Lots	Average Lot Size
No. 128 (1995)	Residential	2	40.0 acres
Harvest View (2008)	Residential	45	0.75 acres
Barrel Hed Acres (2006)	Residential	5	5.47 acres
Patterson Tracts (2000)	Commercial	2	40.0 acres
Northwoods Commercial Center (1985)	Commercial	7	0.48 acres
Northwoods Center (1980)	Residential	5	0.46 acres
River Rock Estates (2004)	Agricultural	2	6.01 acres
Silverbrook Estates (2009)	Commercial/ Residential	~592	~0.280 acres

Figure 2: Area subdivisions, subject property shown in red



F. Utilities and Services

- 1. Wastewater:** Individual
- 2. Water:** Public
- 3. Electricity** Flathead Electric Cooperative
- 4. Natural Gas** Northwestern Energy
- 5. Solid Waste** Evergreen Disposal
- 6. Schools:** Whitefish School District
Whitefish High School District
- 7. Fire:** West Valley Fire District
- 8. Police:** Flathead County Sheriff

III. COMMENTS RECEIVED

A. Agency Comments

1. Referrals were sent to the following agencies on January 25, 2022:
 - Flathead County Sheriff
 - Flathead County Road Department
 - Montana Department of Transportation
 - Flathead County Solid Waste
 - Flathead City-County Health Department
 - City of Whitefish Planning Department
 - City of Kalispell Planning Department
 - Whitefish School District
 - Whitefish High School District
 - MT Fish, Wildlife, & Parks
 - BPA
 - West Valley Fire District
2. The following is a summarized list of agency comment received as of the date of the completion of this staff report:
 - Flathead City-County Health Department
 - Comment: “1. The proposed subdivision is subject to review under Title 76-4 Part 1, Sanitation in Subdivision, MCA. This review will address water supply, wastewater, storm water drainage and solid waste disposal.
 - “2. This project is not located within the Kalispell Air Pollution Control District as designated in Flathead Air Pollution Control Regulations. However, fugitive dust must be controlled during development.” Letter received January 27, 2022
 - Flathead County Solid Waste
 - Comment: “The District requests that all new subdivisions use a private hauler to bring the solid waste to the landfill. Owner hauling of solid waste from the subdivision should not be the primary method of disposal. Evergreen Disposal is the (PSC) Public Service Commission Licensed hauler in this area.” Letter dated January 27, 2022
 - Flathead County Road and Bridge Department
 - Comment: “The applicant is requesting a variance to Section 4.7.15 of the

Subdivision regulations regarding primary access. They are proposing to build a gravel access at the properties northeast corner connecting to Schrade Road at Hwy 93. It doesn't appear that a crash gate or anything like that will be installed. There is concern that if an accident or obstruction was to occur at the intersection of McDermott Lane and this new gravel road there is not a second ingress/egress for the subdivision. They are also proposing a gravel surface on the road connecting to Hwy 93/Schrade which could be problematic, depending on the use (if not grated) for dust generation.

- “Of note there is also a planned increase in traffic on McDermott Lane from the baseball field complex that is proposed. That applicant has provided a traffic impact report that shows potential issues with the intersection of McDermott and Hwy 93 during peak use times for their events. I don't know if these two entities have had discussions regarding their use and potential impacts.” Letter dated February 3, 2022
- Montana Department of Transportation
 - Comment: “Thank you for contacting the Montana Department of Transportation (MDT) regarding the Preliminary Plat for High Country Subdivision. The proposal refers to the parcel west of Highway 93 located at 3790 US 93N for 28 single family residences with primary access via McDermott Lane at MP 119.9. MDT had previously done an approach permit for the emergency access for this parcel at MP 119.7.
 - MDT is concerned about the overall impact on US 93. Planning for future north-south road networks adjacent to the National Highway System will increase safety and connectivity. Planning for a future connection from McDermott Lane to Church Drive may allow for development impacts to be mitigated with access to US 93 via the Jr. Interchange.” Email dated February 11, 2022

B. Public Comments

In accordance with Section 4.0.14 Flathead County Subdivision Regulations (FCSR), adjacent property notification was mailed to neighboring property owners within 150 feet of the proposed subdivision on February 16, 2021, legal notice was published in the Daily Interlake on February 20, 2021 and notice of the proposal and public hearing was physically posted onsite on February 15, 2021.

As of the date of the completion of this staff report, no public comments have been received from the general public regarding the proposal. Any written comments received following the completion of this report will be provided to members of the Planning Board and Board of Commissioners and summarized during the public hearing.

IV. LOCAL GOVERNMENT REVIEW

A. Review Criteria

Findings in this portion of the report are applicable to the impacts of the proposed subdivision on the review criteria listed in Section 76-3-608(3) MCA and the review

procedure outlined in Section 4.1 of the Flathead County Subdivision Regulations (FCSR), effective December 3, 2018.

1. Agriculture and Agricultural Water User Facilities

According to the Environmental Assessment, the subject property is not an agricultural tract but the properties to the south and west are currently used for agriculture. The properties directly to the south are in a conservation easement. It would appear that the development would not remove any agricultural land from productive use. The applicants has provided a 20-foot agricultural buffer around the entire subdivision.

As indicated in the submitted Environmental Assessment, the subject property does not contain any “agricultural user facilities but does adjoin property with agricultural water user facilities.... There are no irrigation ditches within the property; therefore, no users of irrigation water surrounding the subdivision will be impacted.”

Finding #1 – Impact on agriculture and agricultural water users facilities are minimal because the subject property has not been utilized for agricultural production, the subject property is adjacent to property presently under agricultural production but will be mitigated by a 20 (twenty) foot agricultural buffer around the entire subdivision as well as a statement on the final plat indicating that the area is in active agricultural production and the subject property does not contain agricultural water user facilities.

2. Local Services

a. Water and Wastewater Services

The preliminary plat application indicates the 28 lots will be served by 14 shared wells and by a new subsurface wastewater treatment system where each lot would have an individual septic tank and drain fields. According to the Environmental Assessment there is one existing well on the property with a static water level of 160 feet and a total depth of 300 feet and estimates the average groundwater depth to be approximately 200 feet.

The subdivision will utilize fire hydrants for fire protection. The West Valley Fire Department has recommended that fire protection tank and hydrants are installed within the right-of-way. The subdivision will be required and conditioned to address reasonable requests from West Valley Fire Department.

As indicated in the submitted application, the plan for wastewater treatment is to use individual septic tanks and drain fields. As discussed below in the soils section of this report, the soils on the property are well drained. Comments from the Environmental Health office indicate, “The proposed subdivision is subject to review under Title 76-4 Part 1, Sanitation in Subdivision, MCA. This review will address water supply, wastewater, storm water drainage and solid waste disposal.” Both water and wastewater services for the proposed subdivision will be required to be reviewed and approved as applicable by the Flathead County Environmental Health Department and the Montana Department of Environmental Quality.

Finding #2 – Water quality and wastewater management for the proposed 28 lots appears to be appropriate because adequate quality appears to exist for the proposed public water system, sufficient soils and depth to water table exist for the new public subsurface wastewater treatment system, the water and wastewater systems

would be required to be reviewed and permitted by the Montana Department of Environmental Quality as applicable prior to their installation and operation.

b. Solid Waste Disposal

The developer is proposing contract haul as a mechanism for solid waste disposal as requested of all subdivisions by the Flathead County Solid Waste Department. The Flathead County Solid Waste Department commented that the Evergreen Disposal will be the PSC responsible for solid waste disposal in this area. The applicant has contacted Evergreen Disposal and indicated they are capable of providing service to the proposed subdivision.

Finding # 3 – Impacts on solid waste disposal would be acceptable with standard conditions because the lots within the proposed subdivision would utilize contract haul services for solid waste management.

c. Roads

Primary access to the proposed subdivision would be provided by Morning Star Way via McDermott Lane. McDermott Lane is a paved local road and is accessed via U.S. Highway 93.

Comments from MDT state, “The proposal refers to the parcel west of Highway 93 located at 3790 US 93N for 28 single family residences with primary access via McDermott Lane at MP 119.9. MDT had previously done an approach permit for the emergency access for this parcel at MP 119.7.

“MDT is concerned about the overall impact on US 93. Planning for future north-south road networks adjacent to the National Highway System will increase safety and connectivity. Planning for a future connection from McDermott Lane to Church Drive may allow for development impacts to be mitigated with access to US 93 via the Jr. Interchange.”

Comments from the Road and Bridge Department state, “The applicant is requesting a variance to Section 4.7.15 of the Subdivision regulations regarding primary access. They are proposing to build a gravel access at the properties northeast corner connecting to Schrade Road at Hwy 93. It doesn’t appear that a crash gate or anything like that will be installed. There is concern that if an accident or obstruction was to occur at the intersection of McDermott Lane and this new gravel road there is not a second ingress/egress for the subdivision. They are also proposing a gravel surface on the road connecting to Hwy 93/Schrade which could be problematic, depending on the use (if not grated) for dust generation.

“Of note there is also a planned increase in traffic on McDermott Lane from the baseball field complex that is proposed. That applicant has provided a traffic impact report that shows potential issues with the intersection of McDermott and Hwy 93 during peak use times for their events. I don’t know if these two entities have had discussions regarding their use and potential impacts.”

The planning office shares these same concerns with the Flathead County Road and Bridge Department and MDT. Section 4.7.15(a) of FCSR states “*The Commission may require a second primary access road or multiple primary access road(s) to a subdivision when the proposed subdivision generates more than 200 vehicle trips*

per day.” The applicant is requesting a variance to this criterion which will be discussed in the variance section below.

While it is clear that the decision is left to the Commission, the applicant did not provide a Traffic Impact Study as it is not required for subdivisions creating under 400 vehicle trips per day. The subdivision regulations state that average daily trips should be based on 10 vehicle trips per day per lot for single family residential units. The subdivision is estimated to generate 280 vehicle trips per day, approximately 40% greater than the amount needed to require a second access.

The application also indicates that there is an emergency access located on the northeast corner of the subdivision. Planning staff does not consider this to be an emergency access because it connects to McDermott Lane before the entrance of the subdivision and does not offer any additional access to the proposed subdivision.

As indicated on the preliminary plat, Morning Star Way circles the entire subdivision, providing access to all lots in the subdivision. The interior subdivision road will be paved and in compliance with Flathead County’s Minimum Standards for Design and Construction. An approach permit from McDermott Lane will be required at the time of final plat.

The application also includes a draft road maintenance agreement. Section 5.1(a) indicates that the roads would be maintained in passable condition year-round by the homeowner’s association.

Finding #4 – The transportation network does not appear to be adequate because there does not appear to be appropriate primary and emergency access to the subdivision although there does appear to be physical and legal access to the property, an approach permit would be required for final plat and the interior subdivision roads would be maintained by the homeowner’s association.

d. Schools

The proposal is located in the Whitefish and Whitefish High School Districts. The application includes an email from the Whitefish Superintendent of Schools. The comment notes that they will accommodate all new students the reside in the district, and that they have formed an advisory committee to study past and future enrollment.

The average household size is 2.55 persons and approximately 16.1% of the population is between the ages of 5-18 years so each household would have approximately 0.41 school age children. The proposal has the potential to generate 28 dwellings and therefore could generate approximately 11 school age children.

Mail Delivery

The developer is proposing a centralized mailbox location. The location of the centralized mail facility serving the proposed subdivision shall require review and written approval from the local postmaster as a condition of final plat approval and should meet the location requirements outlined in Section 4.7.28 FCSR.

e. Recreation

The proposed subdivision is located in northwest Montana, is an area abundant in recreational opportunities. The nearby lakes, rivers and public lands offer a surplus of activities that include hiking, boating, biking, hunting, and fishing. The proposed subdivision is a major subdivision and is required to provide 1.54 acres of parkland per the formula provided in FCSR Section 4.7.24(e). The proposed preliminary plat indicates that 1.31 acres of parkland provided in the interior of the subdivision.

The application also includes open space around the perimeter of the subdivision in the form of a 20-foot agricultural buffer. The agricultural buffer could be utilized as a linear park by homeowners. The preliminary plat application indicates the total open space of 4.15 acres, meeting the required minimum parkland acreage based on lot size formula found in FCSR.

Finding #5 – Impacts on local services would be acceptable with the imposition of standard conditions because the proposed subdivision would be located within the Whitefish School District will accommodate all students within the district, a centralized mailbox is proposed and shall be approved by the postmaster, and the parkland that will be provided to satisfy the parkland requirement meets and exceeds the minimum requirement found in FCSR.

3. Public Health and Safety

a. Storm Water Drainage

The submitted Stormwater Drainage Plan establishes the conceptual plan for stormwater management and indicates no stormwater drainage would enter vicinity surface waters as a result of runoff from the subdivision. The plan appears to adequately manage stormwater through roadside retention swales. As there would be more than one acre of ground disturbed through the installation of subdivision improvements it is anticipated the developer will be required to obtain a General Permit for Stormwater Discharges Associated with Construction Activity issued by the MDEQ.

Finding #6 – The effects of this proposed subdivision on public health and safety in regard to the proposal for stormwater management appear to be acceptable because the stormwater management plan would be required to be reviewed and approved as applicable by the Flathead County Environmental Health Department and the Montana Department of Environmental Quality.

b. Fire/Emergency Medical Services

The site is currently located within the West Valley Fire District and a fire station is located approximately 3.75 miles from the subdivision on Whitefish Stage. The applicant has indicated that fire hydrants will be developed for fire protection and a tank will be provided as requested by the fire district.

The Kalispell Regional Medical Center is located approximately 6.6 driving miles away. Based on the location of the subdivision outside the city limits of Kalispell, emergency medical service response times should be consistent with those of the nearby city.

The property is located within the Wildland Urban Interface, but the property has been cleared with only a few trees located along the current access to the property

and scattered around the 40 acres. West Valley Fire Department did not provide a comment regarding this proposal but was previously contacted a subdivision on this property and while they agreed that access to the subdivision may be an issue in the event of an emergency, they were not concerned with access due to a wildfire. McDermott currently meets Flathead County Road and Bridge Department standards, and all interior subdivision roads will be required to meet these standards.

Flathead County Road and Bridge Department indicated they were concerned with access to the proposed subdivision in the event of an emergency because of presence of only one primary access and 28 potential single-family residences.

c. Police Services

The property is located in an unincorporated area of Flathead County and is therefore served by the Flathead County Sheriff. Given the proximity of the subject property to Kalispell a reasonable response time is anticipated.

Finding #7 – Impacts to Fire, Emergency Medical, and Police Services appear to be acceptable because although there is a lack of a second primary access or an emergency access to the proposed subdivision no representatives from Fire, Emergency Medical, and Police agencies voiced concerns.

d. Impact of Noise

Development of residences on the subdivision lots would likely generate minimal noise during construction, and it is not likely they all would be built simultaneously. The proposed residential use is not anticipated to generate continuous noise that would affect residents or wildlife.

e. Air Quality

Impacts to air quality are expected to be minimal and are also mitigated because the subdivision is accessed by a paved local road and the internal subdivision road network will be paved. Because all lots will be accessed by a paved roadway and activities on site will be limited to single family residential use, it is not anticipated that air quality will be negatively impacted by the development. The applicant has submitted a Dust Control Plan compliant with Section 4.7.14 FCSR. In order to ensure all lot owners, follow the plan, a note to be placed on the face of the final plat requiring the owners of all lots to abide by the guidelines in the plan during and after site construction and development activities will be required.

Comments from the Environmental Health office indicate, “This project is not located within the Kalispell Air Pollution Control District as designated in Flathead Air Pollution Control Regulations. However, fugitive dust must be controlled during development.”

Finding #8 – Adverse impacts to air quality and of noise are anticipated to be minimal and acceptable with the imposition of conditions as all roads accessing the subdivision will be paved, the developer and future homeowners will abide by the dust control plan and short-term construction related noise is the only anticipated noise to be generated by the subdivision development.

f. High Voltage Electric Lines/High Pressure Gas Lines

There are no exposed high voltage electric lines or high-pressure gas lines on the subject property.

g. Airport Influence Areas

The subject property is not within an airport influence area.

Finding #9 – The proposal does not appear to have an impact on high voltage electric lines, high pressure gas lines or an airport influence area because the property is not located near any of these hazards.

4. Natural Environment

a. Soils

The Web Soil Survey indicates that the majority of the property is not considered prime farmland all of the soil on the subject property is considered well drained. A very small piece of the subject property contains ‘Kalispell Loam’ and is classified as: ‘prime farmland if irrigated.’

Table 1: Farmland Classification, summary by map unit

Map Unit Symbol	Map Unit Name	Drainage Class	Acres	Percent of Property
Ke	Kalispell Loam, 0-3% Slopes	Well Drained	0.2	0.5%
Kza	Kalispell-Tuffit Silt Loam, 0-3% Slopes	Well Drained	0.1	0.3%
Pc	Prospect Loam, 7-12% Slopes	Well Drained	29.4	72.4%
Pd	Prospect Loam, 12-20% Slopes	Well Drained	10.9	26.8%
Totals			40.6	100%

Figure 3: NRCS Web Soil Survey Farmland Classification



b. Geologic/Avalanche Hazards

The slope on the subject property varies from 2% to 30% with the majority of the future lots having a 2% slope. The subject property is generally flat with the exception of the racetrack bowl that will be cut and filled to even out the topography. The Environmental Assessment states, “It is expected that significant cutting and fillings will be done to blend the topographic depression with the surrounding ground outside of the racetrack.” The preliminary plat application indicates cut and fill of more than 3 feet in depth will be cut near the location of the north and south ends of the current racetrack. The subject property is not located on any mapped fault lines according to geologic fault data prepared and maintained by the Flathead County GIS Department.

The subdivision is not located in an area of the County considered to be prone to avalanche hazards.

Finding #10 – Minimal risks to public health and safety are anticipated with the imposition of conditions because there are no geologic fault lines, there are no

avalanche areas, and soils on the subject property appear to be appropriate for development of residential use and associated infrastructure.

c. Flora

A search conducted by the Montana Natural Heritage Program identified this general area of the County may contain no plant species of concern. The vegetation on the subject property is primarily a mix of native grasses. The property has historically been used for native grass pasture and more recently a racetrack and associated spectator parking. The Natural Resource Conservation Service designates this property as Rangeland. The properties immediately to the south of the proposed subdivision are under a conservation easement through the Montana Land Reliance covering approximately 240 acres. Although the subdivision will remove the mix of native grasses from approximately 40 acres of the subject property, the native grasses in the area are not expected to be adversely affected because of the large amount of native grasses located on the conservation easement to the south protected from subdivision and development.

Most noxious weeds thrive when soil is disturbed. Some can grow from root parts, as well as seeds that become exposed. Pursuant to Section 4.7.25 FCSR the subdivision will be required to develop and implement a weed control plan approved by the Flathead County Weeds Department prior to final plat approval.

Finding #11 – Impacts to flora are anticipated to be minimal and acceptable as the residential lots are located on flat open land currently designated as rangeland, and the 240 acres to the south are protected from further subdivision and development through a conservation easement.

d. Riparian/Wetland Areas

There are no rivers, streams (ephemeral or otherwise), designated wetlands, or riparian areas present on the subject property. The Stillwater River is located approximately 0.75 miles away. Because the development of the proposed subdivision will be located 0.75 miles away, significant impact to the riparian and wetland vegetation areas is not expected.

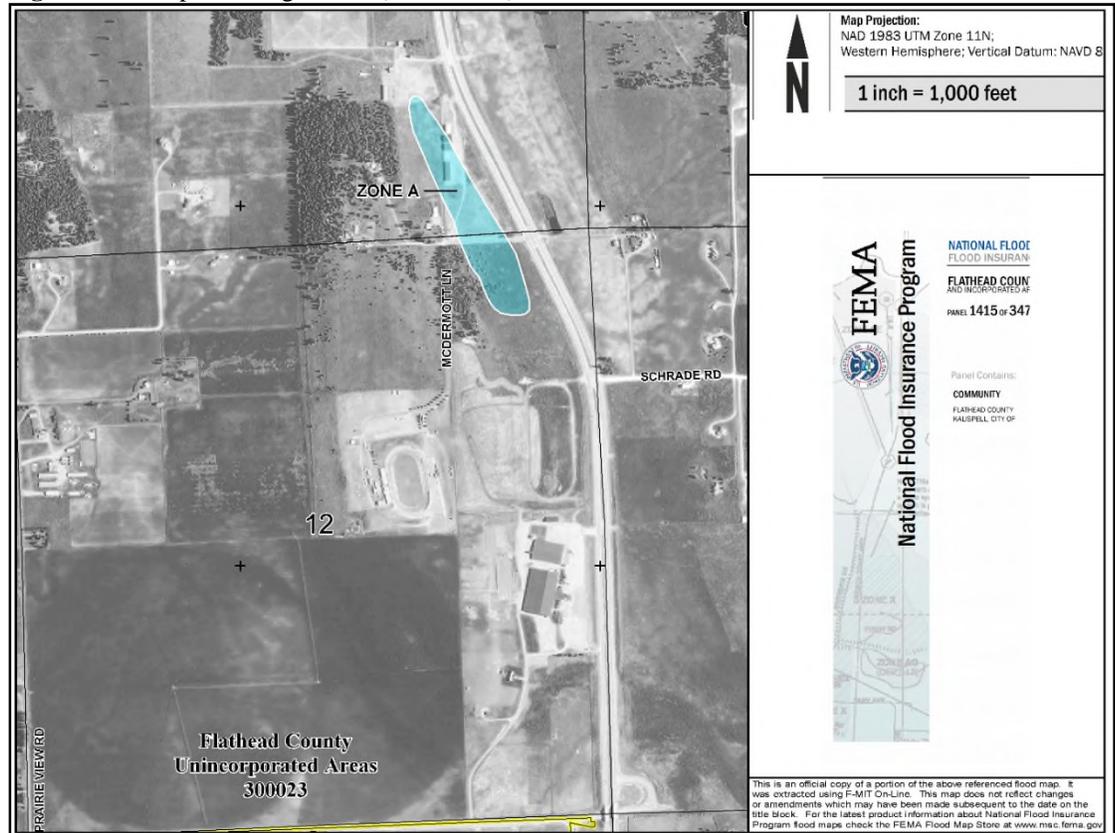
Finding #12 – Adverse impacts to riparian and wetland vegetation is expected to be minimal because there is no riparian or wetland vegetation on the subject property and the nearest riparian vegetation is approximately $\frac{3}{4}$ of a mile away.

e. Floodplain

According to FIRM Panel 30029C1415J, the subject property does not contain any Special Flood Hazard Area (SFHA) but the road accessing the proposed subdivision does contain some area designated as Zone A, an area subject to a 1% annual chance of flooding but without a determined base flood elevation. The road flooded in 1996 at the area delineated as SFHA and the road was repaired by the owners of the subject property at the time of the flooding. Because the area designated as SFHA is not located on the property but is located on the only access to the property, there is potential for the floodplain to affect the proposed subdivision but not for the proposed subdivision to affect the floodplain. The proposed subdivision does have a 60-foot private road and utility easement across the property directly to the east of the proposed subdivision and does not cross the SFHA.

Finding #13 – Although the access to the subject property contains floodplain designated ‘Zone A’; there is no impact to the floodplain anticipated because floodplain does not exist on the subject property but there is a potential for the floodplain to negatively affect access to the proposed subdivision.

Figure 4: Floodplain designations (not to scale)



f. Wildlife and Wildlife Habitat

The Montana Natural Heritage Program’s Species of Concern report indicate this general area of the County (Township 29 N, Range 22 W) may be frequented by species of concern including Hoary Bat, Canada Lynx, Little Brown Myotis, Long-legged Myotis, Fisher, Grizzly Bear and Westslope Cutthroat Trout. The Grizzly Bear, Fisher, Canada Lynx prefer conifer forest habitat and Hoary Bats are found in riparian forest area, neither habitats are found on the subject property. The Westslope Cutthroat Trout is a fish and requires a stream or standing water body for habitat. Long-legged Myotis are generalist but can typically be found in forested mountain regions and river bottoms, also at high elevations. Because the subject property does not have any of the habitat needed by the species of concern, it is not expected that impact to wildlife will be negatively impacted.

The Environmental Assessment indicates that the subject property may contain deer and wild turkey habitat, and this has been reaffirmed by residents who live in the area. There is not any surface or standing water bodies on the subject property and as a result no habitat for the species of concern listed above. The property also has no areas that are identified as wetlands on the subject property. Additionally, no

comments were received from Montana Fish, Wildlife and Parks.

Finding #14 – The proposed subdivision would likely have a minimal impact on wildlife and wildlife habitat because even though species of concern have been documented in the general area, the property has been developed with a racetrack, been mostly cleared of trees and the large conservation easement to the south is expected to provide habitat for white tailed deer, wild turkeys and migrating waterfowl.

5. Historical Features

The Environmental Assessment indicates there are no known historic, archeological, or cultural sites on the subject property. A letter from the Cultural Records Manager for the State Historic Preservation Office, indicates that there have been no previously recorded sites on the subject property. While there have been no previously recorded sites on the subject property, the letter explicitly mentions that this does not mean there are not any present on the subject property.

Finding #15 – The proposed subdivision will not adversely impact historical features because there are no known historic, archeological, or cultural sites on the subject property.

B. Compliance with Survey Requirements of 76-3-401 through 76-3-406 M.C.A.

Finding #16 – The preliminary plat would conform to all provisions of the Montana Subdivision and Platting Act if it contains all elements required to meet state survey requirements, which would be determined when it is reviewed by the Flathead County Examining Land Surveyor prior to final plat approval.

C. Compliance with the Flathead County Subdivision Regulations and Review Procedure

1. Requested Variances

The applicant is requesting a variance to Section 4.7.15(a) of the Subdivision Regulations which states, “The Commission may require a second primary access road or multiple primary access road(s) to a subdivision when the proposed subdivision generates more than 200 vehicle trips per day.” As previously discussed, the proposed subdivision would likely generate 280 vehicle trips per day. The proposed secondary emergency access would intersect the property at the northeast corner of the property at the same location as McDermott Road. Therefore, the applicant is requesting a variance to the secondary access requirements.

Section 4.0.11 of the Subdivision regulations states that, “The Commission shall not approve a variance unless it finds that all of the following are met.”

i. The variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties;

The applicant states, “The owner proposed to using McDermott Lane as the primary access road, with 24’ wide paved driving surface and a left turn lane from US Highway 93; this road segment is 0.39 miles in length. Also proposed is the use of a 60’ wide easement, 0.2 miles south of McDermott Lane, as an emergency egress connecting to US Highway 93 (graveled surface, built with an MDT-approved approach). These two roads, combined with the proposed

subdivision road, Morning Star Way, a looped access road, will provide adequate access and safety for these 30 residences.”

Comments from the Road and Bridge Department state, “There is concern that if an accident or obstruction was to occur at the intersection of McDermott Lane and this new gravel road there is not a second ingress/egress for the subdivision.”

Comments from MDT indicate, concern about the overall impact on US 93 stating, “Planning for future north-south road networks adjacent to the National Highway System will increase safety and connectivity. Planning for a future connection from McDermott Lane to Church Drive may allow for development impacts to be mitigated with access to US 93 via the Jr. Interchange.”

- ii. **Due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose an undue hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self-imposed;**

According to the application, the proposed High Country subdivision is restricted from securing easements through neighboring properties for any other alternative access routes.” The physical surroundings provide limitations for the location of a second access to the subject property. The property directly to the south is in a conservation easement and a road cannot be constructed over the property. The applicant would need all parties to the existing easement over Majestic Valley property to the east and Schrade Road to agree to move the easement, so it goes south to Church Drive instead. The hardship does not appear to be self-imposed and meeting this criteria would be difficult but likely not impossible given the physical surroundings.

- iii. **The variance will not cause a substantial increase in public costs, now or in the future;**

The applicant proposes to make use of only existing routes for ingress and egress and will not cause a substantial increase in public costs. If the applicants is allowed to use McDermott Lane as the only primary access to the subdivision it is likely that neighboring properties when developed will be given the same rights. Increase traffic at the intersection of McDermott and Highway 93 could then eventually necessitate improvements at the intersection which would be at substantial public cost. However, utilizing the existing junior interchange at Church Drive and Highway 93 would limit traffic at McDermott and Highway 93 and better accommodate future growth in the area.

- iv. **The variance will not place the subdivision in nonconformance with any adopted growth policy, neighborhood plan or zoning regulations;**

The application states, “The variance does not conflict with the Riverdale Neighborhood Plan, Flathead County Growth Plan or the Flathead County Zoning Regulations.”

Policy 12.4 of the Riverdale Neighborhood Plan states, “Support a frontage road adjacent to U.S. Highway 93 which provides access via Church Drive, with the exception of Majestic Valley Arena which will retain its existing approach permits.”

Additionally, Policy 12.2 states, “Subdivisions and developments shall be designed to provide connectivity in the neighborhood road systems.”

The Riverdale Neighborhood Plan identifies the need for a frontage road to Church Drive and the need for connectivity between the neighborhood. If the proposed variance is approved the subdivision would not comply with policies of the Riverdale Neighborhood Plan.

The Flathead Growth Policy addresses the topic of frontage roads as well. Policy 6.1 states, “Encourage internal, interconnected roads for commercial development and frontage roads where appropriate.” While Policy 23.10 states, “Encourage frontage roads where needed and internal vehicle circulation roads for development outside of urban areas.” The location of this property a quarter mile from Highway 93 and a half mile from Church Drive would be an appropriate location for a frontage road in order to reduce access points on the Highway.

v. The variance is consistent with the surrounding community character of the area.

The application states, “Northern Pines Community Subdivision, with 28 lot, has a single primary access road from Highway 93. [...]. Harvest View Subdivision, with 45 lots, has a single primary access road on Church Drive. [...]. Silverbrook Estates has over 300 lots served by a main loop, [...], but has two access/egress routes out of the subdivision, one to US Highway 93 and one to Church Drive.”

Harvest View Subdivision has access off Church Drive and is located 1.5 road miles from Highway 93, so it does not have direct access to the Highway. Silverbrook Estates has access via Church Drive and is located within the City of Kalispell with different regulations. Northern Pines was completed 22 years ago when Highway 93 had a much lower traffic count.

Finding #17 – The proposed variance does not appear to meet all the criteria because both MDT and the Road and Bridge Department indicated concerns with safety utilizing the existing access, the variance would not be in conformance with the Growth Policy or the Riverdale Neighborhood Plan and granting the variance could substantially increase in public costs in the future.

2. Flathead County Subdivision Review Procedure

i. Pre-application Conference Date

June 17, 2021

ii. Application Deadline Date (6 months from pre-application)

December 17, 2021

iii. Application Submittal Date

October 29, 2021

iv. Completeness Date

November 2, 2021

v. Sufficiency Date

January 25, 2022

vi. Agency Referral Requests Mailing Date

January 25, 2022

vii. Adjacent Property Notification Mailing Date

February 16, 2022

viii. Legal Notice Publication Date

February 20, 2022

ix. On-site Posting of Public Hearing Date

February 15, 2022

Finding #18 – The proposal has been reviewed as a major subdivision in accordance with statutory criteria and standards outlined in Section 4.4 of the Flathead County Subdivision Regulations effective December 3, 2018.

D. Provision of Easements for the Location and Installation of Planned Utilities

Finding #19 – The preliminary plat identifies adequate easements for utilities to serve the subdivision. All other easements associated with this subdivision and the subdivided property shall be clearly located on the Final Plat to satisfy applicable requirements of the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations.

E. Provision of Legal and Physical Access to Each Parcel

Finding #20 – McDermott Lane would provide legal and physical access to the subdivision, and the proposed internal road system would provide legal and physical access to the individual lots. The internal road system would be privately maintained, occurring within a 60-foot- private road right-of-way, would be constructed and paved in compliance with applicable Flathead County standards and an approach permit would be required for the access at McDermott Lane for the additional lots.

F. Review of Applicable Plans

76-1-605(2)(b) M.C.A states that *A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.* Furthermore, 76-3-608(3) M.C.A. does not contain compliance with the growth policy as a primary criteria by which an individual subdivision proposal must undergo local government review or on which findings of fact are to be based. Review of general conformance with applicable plans is provided as an acknowledgement and consideration of the guidance offered by the information contained in the document(s).

1. Neighborhood Plan

The proposed subdivision is located within the Riverdale Neighborhood Plan area. The plan designates the property as mixed use, which blends general commercial with residential uses. This “mixed use” category plan also encourages the use of open space for regional, community and neighborhood level use. The proposed subdivision will be explicitly residential and does not meet the definition of mixed use because the R-1 zoning only allow for limited commercial/business opportunities.

A variety of goals and policies within the text of the Riverdale Neighborhood Plan has been found pertinent to this request.

❖ **Goal 2** – *Encourage a range of housing types.*

- **Policy 1.1** – *Permit townhouses, duplexes, and multi-family housing types in areas designated for mixed use.*

- Townhouses, duplexes, or multi-family housing types are not supported with this subdivision
- **Policy 1.5** – *Provide for a range of residential densities and housing types.*
 - The applicant is proposing an R-1 zone that does not allow for a variety of residential densities.
- ❖ **Goal 4** – *Preserve the right and opportunity to farm.*
 - Even though the property is currently zoned AG-40, the property is not in agricultural production.
- ❖ **Goal 5** – *Residential, commercial, and open space and recreational land uses that are integrated and are efficiently served by local services and necessary public facilities.*
 - **Policy 5.1** – *Permit a range of residential development densities and identify areas appropriate based on availability of local services, public facilities and physical constraints.*
 - **Policy 5.5** – *Encourage the creation of Planned Unit Developments (PUD).*
 - The applicant is proposing an R-1 zone that does not allow for a variety of residential densities and the applicant is not proposing a PUD.
- ❖ **Goal 6** – *Provide opportunities for low and medium density residential development.*
- ❖ **Goal 7** – *Provide opportunities for mixed-use development within the Riverdale area.*
 - The proposed subdivision and proposed R-1 limits the use of the property to almost exclusively residential with no commercial uses allowed.

Finding #21 – The proposed subdivision does not appear to comply with the map and text of Riverdale Neighborhood Plan because the proposal would not allow for a variety of housing types and there is no commercial component to the R-1 subsequently not complying with the ‘mixed use’ designation.

2. Flathead County Growth Policy

The Flathead County Growth Policy is a general policy document that meets the requirements of 76-1-601, M.C.A. and was updated on October 12, 2012. The location is in an area of the county that is designated as ‘Agriculture’ on the Flathead County Designated Land Use Map. The proposed ‘R-1 Suburban Residential’ zoning, and associated subdivision would appear to contrast with the current designations. However, Chapter 10 Part 3: Land Uses Maps of the Growth Policy under the heading Designated Land Use Maps specifically states, “This map depicts areas of Flathead County that are legally designated for particular land uses. This is a map which depicts existing conditions. The areas include zoning districts which are lumped together by general use rather than each specific zone and neighborhood plans. Further information on particular land uses in these areas can be obtained by consulting the appropriate zoning regulations or neighborhood plan document. The uses depicted are consistent with the existing regulations and individual plan documents.” Staff interprets this to mean the Designated Land Use Map is not a future land use map that implements policies, but rather a reflection of historic and current land use. Because the Growth

Policy call for consultation of the neighborhood plan document and the Riverdale Neighborhood plan document calls some of the Flathead County Growth Policy.

G. Compliance with Local Zoning

The proposed subdivision is located in an area of Flathead County that is zoned AG-40 *Agriculture* but is currently seeking a zoning map amendment to change the zoning to R-1 *Suburban Residential*. If the zone change were approved, the zoning on the subject property would be R-1. The subdivision proposal would create 28 lots all over 1.0 acre. The R-1 zoning allows for a 1-acre minimum lot size.

Finding #22 – The preliminary plat is under review concurrently with a proposal to establish an R-1 Residential, if approved, the preliminary plat would comply with the applicable zoning because the subdivision and its lots would meet the density, use, and applicable bulk and dimensional requirements of the R-1 zoning

V. SUMMARY OF FINDINGS

1. Impact on agriculture and agricultural water users facilities are minimal because the subject property has not been utilized for agricultural production, the subject property is adjacent to property presently under agricultural production but will be mitigated by a 20 (twenty) foot agricultural buffer around the entire subdivision as well as a statement on the final plat indicating that the area is in active agricultural production and the subject property does not contain agricultural water user facilities.
2. Water quality and wastewater management for the proposed 28 lots appears to be appropriate because adequate quality appears to exist for the proposed public water system, sufficient soils and depth to water table exist for the new public subsurface wastewater treatment system, the water and wastewater systems would be required to be reviewed and permitted by the Montana Department of Environmental Quality as applicable prior to their installation and operation. [Condition 5]
3. Impacts on solid waste disposal would be acceptable with standard conditions because the lots within the proposed subdivision would utilize contract haul services for solid waste management. [Conditions 7 & 10d]
4. The transportation network does not appear to be adequate because there does not appear to be appropriate primary and emergency access to the subdivision although there does appear to be physical and legal access to the property, an approach permit would be required for final plat and the interior subdivision roads would be maintained by the homeowner's association.
5. Impacts on local services would be acceptable with the imposition of standard conditions because the proposed subdivision would be located within the Whitefish School District will accommodate all students within the district, a centralized mailbox is proposed and shall be approved by the postmaster, and the parkland that will be provided to satisfy the parkland requirement meets and exceeds the minimum requirement found in FCSR. [Condition 6]
6. The effects of this proposed subdivision on public health and safety in regard to the proposal for stormwater management appear to be acceptable because the stormwater management plan would be required to be reviewed and approved as applicable by the

Flathead County Environmental Health Department and the Montana Department of Environmental Quality. [Conditions 5 & 12]

7. Impacts to Fire, Emergency Medical, and Police Services appear to be acceptable because although there is a lack of a second primary access or an emergency access to the proposed subdivision no representatives from Fire, Emergency Medical, and Police agencies voiced concerns. [Condition 2 & 10f]
8. Adverse impacts to air quality and of noise are anticipated to be minimal and acceptable with the imposition of conditions as all roads accessing the subdivision will be paved, the developer and future homeowners will abide by the dust control plan and short-term construction related noise is the only anticipated noise to be generated by the subdivision development. [Conditions 8 & 10c]
9. The proposal does not appear to have an impact on high voltage electric lines, high pressure gas lines or an airport influence area because the property is not located near any of these hazards.
10. Minimal risks to public health and safety are anticipated with the imposition of conditions because there are no geologic fault lines, there are no avalanche areas, and soils on the subject property appear to be appropriate for development of residential use and associated infrastructure.
11. Impacts to flora are anticipated to be minimal and acceptable as the residential lots are located on flat open land currently designated as rangeland, and the 240 acres to the south are protected from further subdivision and development through a conservation easement.
12. Adverse impacts to riparian and wetland vegetation is expected to be minimal because there is no riparian or wetland vegetation on the subject property and the nearest riparian vegetation is approximately $\frac{3}{4}$ of a mile away.
13. Although the access to the subject property contains floodplain designated 'Zone A'; there is no impact to the floodplain anticipated because floodplain does not exist on the subject property but there is a potential for the floodplain to negatively affect access to the proposed subdivision.
14. The proposed subdivision would likely have a minimal impact on wildlife and wildlife habitat because even though species of concern have been documented in the general area, the property has been developed with a racetrack, been mostly cleared of trees and the large conservation easement to the south is expected to provide habitat for white tailed deer, wild turkeys and migrating waterfowl.
15. The proposed subdivision will not adversely impact historical features because there are no known historic, archeological, or cultural sites on the subject property.
16. The preliminary plat would conform to all provisions of the Montana Subdivision and Platting Act if it contains all elements required to meet state survey requirements, which would be determined when it is reviewed by the Flathead County Examining Land Surveyor prior to final plat approval. [Condition 11]
17. The proposed variance does not appear to meet all the criteria because both MDT and the Road and Bridge Department indicated concerns with safety utilizing the existing access, the variance would not be in conformance with the Growth Policy or the Riverdale

Neighborhood Plan and granting the variance could substantially increase in public costs in the future.

18. The proposal has been reviewed as a major subdivision in accordance with statutory criteria and standards outlined in Section 4.4 of the Flathead County Subdivision Regulations effective December 3, 2018. [Condition 14]
19. The preliminary plat identifies adequate easements for utilities to serve the subdivision. All other easements associated with this subdivision and the subdivided property shall be clearly located on the Final Plat to satisfy applicable requirements of the Montana Subdivision and Platting Act and the Flathead County Subdivision Regulations. [Condition 13 and 14]
20. McDermott Lane would provide legal and physical access to the subdivision, and the proposed internal road system would provide legal and physical access to the individual lots. The internal road system would be privately maintained, occurring within a 60-foot-private road right-of-way, would be constructed and paved in compliance with applicable Flathead County standards and an approach permit would be required for the access at McDermott Lane for the additional lots [Condition 20].
21. The proposed subdivision does not appear to comply with the map and text of Riverdale Neighborhood Plan because the proposal would not allow for a variety of housing types and there is no commercial component to the R-1 subsequently not complying with the 'mixed use' designation.
22. The preliminary plat is under review concurrently with a proposal to establish an R-1 Residential, if approved, the preliminary plat would comply with the applicable zoning because the subdivision and its lots would meet the density, use, and applicable bulk and dimensional requirements of the R-1 zoning

VI. CONCLUSION

In accordance with the provisions of Section 4.4 of the Flathead County Subdivision Regulations, a review and evaluation of the major subdivision application has been completed by the staff of the Planning Board. The proposed subdivision does not appear to comply with the applicable design standards and subdivision review criteria found in Section 4.7 FCSR pursuant to draft Findings of Fact prepared herein, or identified impacts can be mitigated with conditions of approval. Should the Planning Board forward a recommendation of approval of this subdivision to the Flathead County Commissioners, the following conditions should be considered.

VII. CONDITIONS OF APPROVAL

A. Standard Conditions

1. The developer shall receive physical addresses in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by Flathead County. [Section 4.7.16(g)(iv) and 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The developer shall comply with reasonable fire suppression and access requirements of the West Valley Fire District. A letter from the fire chief stating that the plat meets

the requirements of the Fire District (or Department) shall be submitted with the application for Final Plat. [Section 4.7.26(b) FCSR and Finding of Fact (FOF) 7]

3. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved shall be submitted with the final plat. [Section 4.7.25 FCSR]
4. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23 FCSR]
5. The proposed water, wastewater treatment, and stormwater drainage systems shall be reviewed, approved, and permitted as applicable by the Flathead City-County Health Department, and approved by the Montana Department of Environmental Quality. [Sections 4.7.20 and 4.7.21 FCSR and FOFs 2 & 6]
6. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the developer has met their requirements shall be included with the application for final plat. [Section 4.7.28 FCSR and FOF 5]
7. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22 FCSR and FOF 3]
8. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14 FCSR and FOF 8]
9. All road names shall be approved by Flathead County and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c) FCSR]
10. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c) FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.23 FCSR]
 - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14 FCSR and FOF 8]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR and FOF 3]

- e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25 FCSR]
 - f. This subdivision is located in the Wildland Urban Interface area where wildfires can and do occur.
 - g. Only Class A and Class B fire-rated roofing materials are allowed.
 - h. Firewise defensible space standards shall be incorporated around all primary structures and improvements. [Section 4.7.27 FCSR] [FOF 7]
11. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i) M.C.A. and FOF 16]
 12. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality (DEQ) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained prior to any site disturbance or construction and a copy of the DEQ confirmation letter shall be provided to the Flathead County Planning & Zoning office prior to final plat approval. [17.30.1115 Administrative Rules of Montana (A.R.M.) FOF 6]
 13. All required improvements shall be in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16 FCSR and FOF 18]
 14. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13 FCSR and FOF 17 & 18]
 15. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]

B. Project-Specific Conditions

16. Design and construction of all internal subdivision roads shall be certified by a licensed engineer and constructed and paved as proposed in accordance with the *Flathead County Minimum Standards for Design and Construction*, as applicable. [Sections 4.7.16, 4.7.17 FCSR]
17. With the application for final plat, the developer shall provide a compliant Road Users' Agreement or CC&R document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision. [Section 4.7.15(e), FCSR]
18. A tank and fire hydrants to the specifications of the West Valley Fire District shall be installed prior to the approval of the final plat [Section 4.7.26(b) FCSR]. A letter from West Valley Fire Department indicating requirements have been met shall be included with final plat application.

- 19.** A maintenance plan for the tank and fire hydrants shall be included with final plat.
- 20.** The applicant shall show proof of a completed approach permit from the Flathead County Road and Bridge for the additional lots onto McDermott Lane [Section 4.7.16, FCSR and FOF 20]
- 21.** Covenants, Conditions and Restrictions (CC&Rs) shall be recorded at the time of final plat describing the intended use, management, and ownership of the open space. [Section 5.09.020(8), FCZR]
- 22.** The zone change to R-1 zoning shall be approved by Resolution of the Flathead County Board of Commissioners in order that the proposed subdivision is compliant with applicable local zoning prior to final plat approval.
- 23.** The following statement shall be placed on the face of the final plat:
 - i.** This subdivision is located in an agriculturally active area. Noise, smells, and activity associated with agriculture can be expected.

Planner: EKM